IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

L.P.A.NO.243 OF 2005
IN
CIVIL APPLICATION NO.1749 OF 2005
IN
WRIT PETITION NO.8809 OF 2003

M/s.Wasp Pumps Pvt.Ltd. ..Appellant

Vs.

Dilip D.Deshmukh ..Respondent

....

Mr.C.U.Singh i/b Thakore Jariwalla
and Associates for Appellant
Mr.P.M.Patel for Respondent

....

**CORAM: DR.S.RADHAKRISHNAN AND
SMT.V.K.TAHILRAMANI,JJ.**

DATE : NOVEMBER 22,2005

P.C.

1. Heard the learned counsel for the Appellant and the learned counsel for the Respondent. By this Appeal, the Appellant is seeking to challenge the interlocutory order passed in Civil Application No.1749 of 2005 dated 21st October, 2005. We do not find any error or illegality in the said interlocutory order. However, we make it clear that the learned Judge who will be hearing Writ Petition No.8809 of 2003, shall hear the same on merits in accordance with law and not being influenced by the observations made by the learned

Single Judge in the impugned order. It is also made clear that each of the individual workman shall give an undertaking to this Court that they will bring back the money that has been distributed to them pursuant to the aforesaid interlocutory order.

2. Appeal accordingly stands disposed of.

[DR.S.RADHAKRISHNAN, J.]

[SMT.V.K.TAHILRAMANI,J.]